

**City of
Bellevue**



Management Brief

DATE: March 4, 2013

TO: Mayor Lee and Councilmembers

FROM: Nav Ota, Director 452-2041
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Phyllis Varner, NPDES Municipal Stormwater Permit Manager 452-7683
Utilities Department

SUBJECT: NPDES Municipal Stormwater Permit Annual Report

The National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit (Permit) requires municipalities to submit an annual report by March 31 of each year during the permit term, beginning in 2008. Management of the city-wide Permit is provided by the Utilities Department, with oversight from a Steering Committee reporting to the City Manager's Office. This memorandum provides background information on the Permit, and briefs Council on:

- The NPDES Permit Annual Report; and the
- Environmental Services Commission's recommendation and public meeting input on the 2013 NPDES Stormwater Management Program (Attachment A).

No action is required of Council tonight. A resolution authorizing the City Manager to sign and certify the NPDES annual report is scheduled for Council action on March 18 under the Consent Calendar.

Background

In August 2012, the state Department of Ecology:

- Extended the existing (2007-2012) Permit to July 31, 2013 with no new permit conditions; and
- Issued a new 5-year Permit (2013-2018) that will take effect August 1, 2013.

Therefore, this year's NPDES Permit Annual Report is based on continuing full implementation of the existing Permit in 2013. The Program will extend through 2013, covering portions of both the existing and new Permit terms. There is nothing in the new Permit requirements that requires municipalities to do anything different in 2013. Staff are also preparing a plan to implement the new NPDES Permit requirements for submittal next year as required by the Permit.

Annual Report and Permit Status

The Permit requires submittal to the Washington State Department of Ecology (Ecology) of:

- (1) **An Annual Compliance Report** by March 31 of each year during the Permit term, beginning in 2008. The Compliance Report is a specific "fill in the blanks" spreadsheet provided by Ecology that documents the City's NPDES Permit activities for the preceding year. This year's compliance report is for calendar year 2012. The Compliance Report is located in Appendix D of the annual report document.

The Compliance Report is very prescriptive and is completed administratively. The Council authorizes the City Manager to sign and certify the Compliance Report on behalf of the City.

- (2) **A Stormwater Management Program (Program)** document which is developed by the City and summarizes the specific current and planned city-wide Permit implementation activities to assure continued NPDES Permit compliance for the coming year (2013). The Program document is an attachment to the Compliance Report.

This will be Bellevue's sixth NPDES Annual Report. To initially prepare these required documents, staff conducted a city-wide analysis of existing programs, codes, standards and processes in 2007 and identified actions necessary for compliance as the Permit requirements were phased-in over the 5-year permit term. Phasing-in of all requirements in the current Permit was completed in August 2011.

Based on implementation of the 2008-2012 Program work plans, the City is in compliance with Permit requirements. Work plan details can be found in the 2013 Stormwater Management Program document. Attachment B contains a list of significant permit requirements implemented through the Program work plans. The NPDES annual report submittal (2012 Compliance Report and 2013 NPDES Stormwater Management Program) is available in the Council Office for review and is also available on the City's website at <http://www.bellevuewa.gov/stormwater-runoff-management.htm>.

Public Meeting Comments and Environmental Services Commission Recommendation

A public meeting on the draft 2013 Stormwater Management Program was hosted by the Environmental Services Commission on January 10, 2013. No comments were received.

The Environmental Services Commission recommended submittal of the 2013 Stormwater Management Program (Attachment A).

Next Steps

Council action on a resolution authorizing the City Manager to sign and certify the NPDES Annual Report for submittal to the Washington State Department of Ecology by the March 31 deadline is scheduled for the March 18 Consent Calendar. Council's adoption of this Resolution will allow the City to maintain Permit compliance.

Attachments

Attachment A	Environmental Services Commission Transmittal
Attachment B	List of Significant Permit Requirements

Available in Council Office for Review

NPDES Annual Report

Attachment A

Date: February 7, 2013

To: Mayor Lee and Councilmembers

From: Brad Helland, Chair
Environmental Services Commission

Subject: Commission's Recommendation and Public Meeting on the NPDES Permit 2013 Stormwater Management Program

Introduction

The Environmental Services Commission (Commission) held three meetings, including a public meeting, on the draft 2013 NPDES¹ Stormwater Management Program (2013 Program). Enclosed are the Commission's recommendation and information on the public meeting.

The 2013 Program document is a requirement of the City's NPDES Phase II Municipal Stormwater Permit (Permit). The 2013 Program summarizes the City's current and planned NPDES Permit implementation activities for the coming year. Among other things, the Permit requires municipalities to:

- Provide an opportunity for the public to comment on the draft Program; and
- Submit the Program document to the state Department of Ecology by March 31 each year of the permit term (2007-2013) as an attachment to the NPDES Annual Compliance Report.

Public Meeting

A public meeting on the 2013 Program was held by the Commission on January 10, 2013. No comments were received at the public meeting.

Commission Recommendation

The Environmental Services Commission recommends submittal of the 2013 Stormwater Management Program to protect water quality and comply with the City's NPDES Permit requirements.

¹ NPDES = National Pollutant Discharge Elimination System. The NPDES Permit Program is a requirement of the federal Clean Water Act.

**NPDES PHASE II MUNICIPAL STORMWATER PERMIT
List of Significant Permit Requirements**

Implementation of the Permit requirements is phased throughout the 5-year permit term (2007-2012). Below is a list of the most significant permit requirements, including ongoing and one-time Permit requirements. This list does not include stormwater programs and activities that are not mandated by the Permit, such as Bellevue's stormwater capital improvement program, municipal storm system repair and replacement program, locates and telemetry programs, monitoring, emergency flood response, customer billing, and administration.

Ongoing Activities

- Continuing existing City programs and activities that implement good management practices and other Permit requirements
- Implementing and adaptively managing Permit-required modifications and new requirements to existing programs and activities as they phase in over the permit term
- Keeping records of inspections, maintenance, and enforcement actions
- Coordinating city-wide, consistent implementation of the Permit's Stormwater Management Program and other requirements; including the annual NPDES report (Compliance Report and Stormwater Management Program document)
- Implementing Permit-required response toward long-term water quality improvement when aware of a potential violation of Water Quality Standards in receiving waters
- Revising information systems to enable tracking and reporting of all Permit requirements in the annual Compliance Reports
- Providing opportunities for public involvement on the Stormwater Management Program document and other Permit requirements such as code amendments

2009 Activities

- Completed amendments to three City codes related to control of illicit discharges and new stormwater regulations for development, redevelopment and construction
- Adopted the 2005 Ecology Stormwater Manual citywide for new development, redevelopment and construction projects, effective January 1, 2010
- Completed revisions to storm engineering standards, clearing and grading standards, and development review and inspection processes and procedures to implement the new stormwater regulations for both private and public development projects
- Revised illicit discharge enforcement processes and procedures for citywide consistency and implementation of the new escalating enforcement code provisions
- Increased levels of information tracking for construction site inspection and enforcement and post-construction private drainage system inspection and maintenance
- Expanded training for City field staff on illicit discharge detection and elimination and development review and inspection

2010 Activities

- Began implementing a stormwater outfall discharge screening and source control program as part of the citywide Illicit Discharge Detection and Elimination Program
- Continued ongoing refinement of the existing public stormwater system inspection and maintenance procedures to meet the new maintenance standards and inspection and maintenance schedule requirements
- Modified existing private stormwater system inspection program to meet the new maintenance standards and inspection and maintenance schedule requirements
- Managed increasing levels of information tracking for maintenance of public and private stormwater management facilities (utilizing new Maximo O&M database)
- Modified existing City processes and procedures to minimize the potential for illicit discharges from municipal operations (e.g., Fire Department training, water main flushing, etc.)
- Developed and implemented uniform processes and procedures for preventing stormwater pollution related to road, landscape and facility maintenance activities
- Developed Stormwater Pollution Prevention Plans for six City-owned or operated heavy equipment maintenance or materials handling facilities
- Implemented Stormwater Pollution Prevention Plans (for City-owned facilities) including on-going operational best management practices and one-time structural improvements (such as a wash station which discharges to the wastewater system)
- Refined public education and outreach activities to meet Permit requirements and support City activities
- Prepared one-time report on low impact development (LID) practices and challenges for 2010 Compliance Report
- Prepared one-time general stormwater and Program effectiveness monitoring submittals for 2010 Compliance Report

2011 Activities

- Completed screening of outfalls in three watersheds for illicit connections and discharges and continue assessing outfalls in one new watershed annually
- Began assessing adjustments necessary to maintenance schedule for City-owned stormwater system facilities for submittal with the 2012 Compliance Report
- Developed a Stormwater Pollution Prevention Plan for a recently acquired City facility
- Prepared a report on the Illicit Discharge Detection and Elimination (IDDE) public education efforts for submittal with the 2011 Compliance Report

2012 Activities

- Prepared maintenance schedule report for City-owned stormwater system facilities for submittal with the 2012 Compliance Report
- Continued implementing all Permit requirements; adaptively manage as needed

2013 Activities

- Continue implementing existing Permit requirements; adaptively manage as needed.
- Prepare plan to implement new Permit requirements for submittal next year. Note - there's nothing in the new Permit that requires municipalities to do anything different in 2013.